

**Item No 04:-**

**21/04342/FUL**

**Melcourt Industries Limited  
Boldridge Brake  
Crudwell Lane  
Long Newnton  
Tetbury  
Gloucestershire  
GL8 8RT**

## Item No 04:-

**Extension to yard used for the storage of horticultural products at Melcourt Industries Limited Boldridge Brake Crudwell Lane Long Newnton Tetbury Gloucestershire GL8 8RT**

<b>Full Application 21/04342/FUL</b>	
Applicant:	Melcourt Industries Limited
Agent:	Land & Mineral Management
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Nikki Ind
Committee Date:	9th November 2022
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

### 1. Main Issues:

- (a) The principle of development
- (b) Landscape impact
- (c) Impact upon biodiversity
- (d) Residential amenity
- (e) Surface water drainage
- (f) Highways

### 2. Reasons for Referral:

2.1 This application has been referred to the Planning and Licensing Committee for determination by the Ward Member (Councillor Ind) for the following reasons:-

2.2 "As Ward Councillor and following consideration of all reports, comments and objections, could I please request that this matter be referred to the Planning & Licensing Committee for further consideration and determination. I would like to draw to the attention of the Committee the issues of Highway Safety, the AONB, Conservation Areas and also highlight the strength of feeling in a small rural village which is affected daily by HGV movements at this site.

#### Highway Safety

2.3 Whilst I appreciate that a report has been received from the Local Highways Authority - Gloucestershire County Council – primarily, I am not satisfied that the major safety concerns highlighted regarding the junction of the B4014 and Church Lane have been addressed.

2.4 **B4014/Church Lane Junction** - It appears that no consideration has been given to this junction, which is the access point for all HGVs onto Church Lane and the route outlined in the Local Highways Authority response dated 18th July 2022 at pages 2/3 - **Access**. This junction is currently unsafe, as vehicles have been witnessed mounting the pavement and reversing onto the B4014, due to the narrowing of the highway and inability for an HGV and

car to pass safely. Consideration must be given to the width and safety of this vital junction. In addition, whilst the B4014 has a 30mph speed limit, there is evidence that traffic travels along this road much faster and even at 30mph, reversing onto the B4014 is dangerous and is contrary to **Policy INF4 Point A** - well integrated with the existing network within and beyond the development, **Point D** - avoids locations where the cumulative impact of congestion or other undesirable impact on the transport network is likely to remain severe following mitigation and **NPPF Point 110 (b)** - safe and suitable access to the site can be achieved by all users. The lack of addressing this junction and the impact of increased HGV traffic is a major safety concern.

2.5 **Telephone ahead point** - further consideration is required regarding the suitability of the site proposed on Church Lane. Due to the varying widths of the highway, the potential for 2 HGVs to meet and the safety concerns at the B4014/Church Lane junction. **NPPF Point 85** states- it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads.

2.6 **Passing Places** - whilst it is reported that these are planned to be on highway land, is it appropriate for some of these passing places to be across private access drives? I have noted that there is a condition requiring a planning application for these places, however, shouldn't they be considered as part of this application? When agreeing these passing places consideration must be given to Cotswold Local Plan Policies - EN1/EN4/EN5/EN11 and if the safety issues at the B4014/Church Lane junction have been addressed.

2.7 **Number of vehicle movements** - there is a conflict in the reports of accurate numbers of vehicle movements at the site and hours of operation - the weighbridge records (during opening hours only) and the traffic survey commissioned by Long Newnton Parish Council. Is the percentage of HGV traffic on these rural lanes at an acceptable level according to the Local Travel Plan? In addition, no condition has been requested by the Highways Authority regarding limiting the number of vehicle movements at this rural site - I am concerned about unlimited vehicle movements and question if this complies with **Policy EC3 Point 2** - small scale employment development in a rural area.

2.8 **Highway Code** -further consideration is required regarding the new rules for safely passing bicycles and horses

### **Area of Outstanding Natural Beauty/Conservation Area**

2.9 This rural site is within the setting of the Area of Outstanding Natural Beauty and the route approved by the Highways Authority passes through both this and two Conservation Areas. These are therefore impacted by any increase in HGV traffic and the creation of passing places. Verge damage is already being experienced and is noted along this route. **NPPF Point 176** shows that development should be designed to avoid or minimise adverse impacts on the designated area. **NPPF Point 85** shows it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads.

### **Cotswold Local Plan - EN1/EN4/EN5/EN11**

2.10 These policies concern the great weight given to the protection, conservation and enhancement of the historic and natural environment, along with the tranquillity of the

countryside. The impact that increased HGV movements and creation of passing places throughout the AONB and Conservation Areas will need further consideration."

### **3. Site Description:**

3.1 This is an existing B2 industrial site located in the open countryside. The site is not within the Cotswolds Area of Outstanding Natural Beauty (AONB).

### **4. Relevant Planning History:**

- 4.1 91/00570/FUL: Retention of Portakabin office building in connection with industrial re-processing building. Granted 29.05.1991
- 4.2 91/01226/FUL: Retention of the use of land for bark processing. Granted 24.10.1991
- 4.3 92/01274/FUL: Removal of condition 9 (CT.6888/A) to enable the retention of the use of land for bark processing. Granted 21.08.1992
- 4.4 92/01747/FUL: Formation of a paved area and the installation of a bark processing machine. Granted 23.11.1992
- 4.5 96/00578/FUL: Extension of existing concrete hardstanding for turning vehicles and storage of bark. Granted 23.05.1996
- 4.6 01/00055/FUL: Erection of two Portacabin units for BI office use. Granted 05.04.2001
- 4.7 08/00191/FUL: Proposed replacement modular building. Granted 13.03.2008
- 4.8 11/04815/FUL: Installation of generator. Granted 09.12.2011
- 4.9 17/00322/FUL: Concreting of land to provide additional bulk storage for landscaping materials, and enhancement of existing pond as mitigation for concreting works. Granted 19.10.2017
- 4.10 19/02816/FUL: Erection of lean-to extension to existing processing/bagging shed. Granted 11.09.2019

### **5. Planning Policies:**

TNPPF The National Planning Policy Framework  
EC3 All types of Employment-generating Uses  
EN2 Design of Built & Natural Environment  
EN4 The Wider Natural & Historic Landscape  
EN7 Trees, Hedgerows & Woodlands  
EN8 Bio & Geo: Features Habitats & Species  
EN15 Pollution & Contaminated Land  
INF3 Sustainable Transport  
INF4 Highway Safety  
INF5 Parking Provision

## **6. Observations of Consultees:**

- 6.1 Landscape Officer: No objection subject to conditions, comments incorporated into the report.
- 6.2 Drainage Engineer: No objection subject to condition.
- 6.3 Tree Officer: No objection subject to condition.
- 6.4 Highway Authority: No objection subject to conditions, comments incorporated into the report.

## **7. View of Town/Parish Council:**

7.1 Long Newton Parish Council: Objects as contrary to the following policies from the adopted Local Plan: -

- (i) Policy EC3 in that it is not small scale nor does it create additional jobs;
- (ii) Policy EN1 in that the application does not promote the protection, conservation and enhancement of the historic and natural environment;
- (iii) Policy EN5 in that the additional lorry traffic will cause further harm to the character and appearance of AONB;
- (iv) Policy EN11 in that the additional lorry traffic will cause further harm to the Conservation Area; and v) Policy INF4 in that a safe and suitable access is not provided, it is not well integrated within the existing transport network beyond the application site and is located where the cumulative impact will remain severe following the proposed mitigation.

## **8. Other Representations:**

8.1 119 representations have been received objecting to the proposal, raising the following issues:

- (i) increased impact upon highway safety from additional traffic
- (ii) speed limits are not adhered to by lorry drivers
- (iii) inappropriate location for the use
- (iv) lorries use the lane 24 hours a day
- (v) impact upon other road users
- (vi) impact upon AONB
- (vii) safety for cyclists, horse riders and pedestrians
- (viii) the number of vehicles visiting the site has increased significantly in recent years
- (ix) damage to road verges
- (x) information provided by applicants on traffic movements is inaccurate
- (xi) numerous incidents along the lane between HGVs and other drivers
- (xii) increased traffic through Tetbury
- (xiii) more emissions and pollution
- (xiv) impact upon wildlife

8.2 Cotswold National Landscape Board: Object - "Having considered the applicant's submission, for the reasons outlined within Annex I below the Board has concerns in respect of the potential adverse impact this application may have upon the tranquillity and landscape and scenic beauty of the National Landscape. For this reason, we consider that the application conflicts with Policy EN5 of the Cotswold Local Plan 2011-2031 and paragraph 176 of the National Planning Policy Framework as well as not according with Policies CE1, CE4 and CE10 of the Cotswolds AONB Management Plan 2018-2023. Therefore, we object to this application."

8.3 5 representations have been received in support of the proposal, raising the following issues:

- (i) supports local employment
- (ii) impact of expansion would be low
- (iii) the business should be encouraged to expand

## **9. Applicant's Supporting Information:**

Planning Statement  
Transport Statement  
HGV Management Plan  
Technical Note  
Tree Survey  
SUDS Supporting Information  
Preliminary Ecological Appraisal  
Proposed Plans

## **10. Officer's Assessment:**

### **(a) The Principle of Development**

10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011- 2031.

10.2 The Council must also have regard to other material considerations when reaching its decision. In particular, it is necessary to have regard to guidance and policies in the National Planning Policy Framework (NPPF).

10.3 The site is an existing B2 industrial site in an isolated location, but is excluded from the listed established employment sites included within the Cotswold District Local Plan having regard to Policy EC2 - Safeguarding Employment Sites. The proposal is therefore subject to Policy EC3 which states that:

'Outside Development Boundaries, and outside established employment sites, proposals for small-scale employment development appropriate to a rural area will be permitted where they:

C. facilitate the retention or growth of a local employment opportunity.'

10.4 In addition, paragraphs 84 and 85 of the NPPF support a prosperous rural economy, and state that:

'84. *Planning policies and decisions should enable:*

- (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- (b) the development and diversification of agricultural and other land-based rural businesses;
- (c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- (d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

85. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'

10.5 The proposed additional hardstanding would be for ancillary storage purposes to the existing business. The business operated from the site is horticultural, and includes the production of peat free compost products. The supporting information provided with the application states that the proposed stocking yard is required to accommodate additional packed and bulk products, so as to improving the efficiency of the processing plant and the site generally. The applicant is also wishing to maintain production runs on individual products to ensure efficient use of the plant for processing and packing, and that a larger storage area is required on site to hold the products awaiting dispatch.

10.6 Therefore, it is considered that the principle of the proposed development would accord with Local Policy EC3, in addition to paragraphs 84 and 85 of the NPPF.

#### **(b) Landscape Impact**

10.7 The site is located within the setting of the Cotswolds Area of Outstanding Natural Beauty (AONB). Section 85 of the Countryside and Rights of Way (CROW) Act 2000 states that relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB.

10.8 Policy EN2 of the Local Plan states that development will be permitted which accords with the Design Code (Appendix D). Proposals should be of design quality that respects the character and distinctive appearance of the locality.

10.9 Policy EN4 of the Local Plan states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the

tranquillity of the countryside) of Cotswold District or neighbouring areas. This policy requires that proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, settlement patterns and heritage assets.

10.10 Policy EN5 of the Local Plan states that in determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.

10.11 Policy INF7 of the Local Plan states that development proposals must contribute, depending on their scale, use and location, to the protection and enhancement of existing Green Infrastructure and/or the delivery of new Green Infrastructure. Green Infrastructure will be designed in accordance with principles set out in the Cotswold Design Code (Appendix D).

10.12 Paragraph 131 of the National Planning Policy Framework states that planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.

10.13 Paragraph 174 of the National Planning Policy Framework requires the planning system to recognise the intrinsic character and beauty of the countryside.

10.14 Paragraph 176 of the National Planning Policy Framework states that great weight should be given to conserving landscape and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty.

10.15 The application site lies to the north of Melcourt Industries existing yard and buildings, with an area of 1.32ha of existing woodland to be removed. This is understood to have been planted in 1991, and contains approximately 2100 trees. To compensate for this loss of area of woodland, a new woodland is shown to be provided extending to 1.35ha in area, to be planted further to the north adjacent to the southern side of Crudwell Lane. The application site in its entirety therefore extends to approximately 4.1 ha.

10.16 The site borders the existing industrial site to the south and a belt of retained woodland to the north, whilst beyond the woodland boundary lies agricultural land. Views of the site are available locally from a public footpath, the route of which lies along the agricultural track which defines the south-eastern boundary, whilst views from Crudwell Lane to the north would be largely screened by intervening vegetation. The impacts of lighting (if required) may also be seen from the wider landscape context.

10.17 The scheme has been amended to delete an area of bunding that was proposed, which was not considered to be acceptable in landscape terms. Subject to this amendment, the scheme is considered to be acceptable. The area of woodland to be removed is considered to be of low value, although a perimeter belt of trees within the existing woodland would be retained to provide containment of the site. The Tree Officer has also raised no concerns about the removal of the existing planting.



10.18 Details of new woodland planting are provided on the Proposed Landscape Planting Plan, and it is considered that the new woodland would provide sufficient landscape enhancement. The proposed planting mix is in keeping with the rural context and the diverse species selection would improve the biodiversity at the site.

10.19 There are no details of lighting provided with the application. However, if lighting is needed, details must be submitted and agreed by the Local Planning Authority in order to protect the tranquillity of the rural countryside and also the dark skies of the nearby Cotswolds AONB. A condition is, therefore, recommended to require details of any new external lighting to be provided prior to installation.

### **(c) Impact upon Biodiversity**

10.20 Having regard to Policy EN8 of the Local Plan and paragraphs 174 and 180 of the NPPF, a Preliminary Ecological Appraisal and Great Crested Newt Environmental DNA (eDNA) Assessment have been provided in support of the application. The proposal includes the adoption of all the proposed mitigation and biodiversity enhancement measures recommended within the report, to include the preparation of a mitigation and enhancement scheme / Biodiversity Enhancement Plan which would be submitted for approval pursuant to a condition of the planning permission, which would incorporate the following:

- (i) A planting and aftercare schedule for the new plantation woodland as set out in the tree survey report provided by Pryor and Rickett Silviculture (PRS, 2021);
- (ii) Landscaping proposals for the new bunds with the aim of maximising biodiversity;
- (iii) Details of construction timing restrictions with respect to breeding birds; and
- (iv) The provision of bird and bat boxes on retained plantation trees.

10.21 Officers are satisfied that relevant legislation and policy requirements would be met by the submission, and as such accord with the objectives of Cotswold District Local Plan Policy EN8 and Section 15 of the NPPF.

### **(d) Residential amenity**

10.22 Policy EN2 and the Cotswold Design Code require consideration of the impact of development in terms of residential amenity, which is also referred to within paragraph 130 (f) of the NPPF.

10.23 The nearest residential property to the proposed hardstanding is in Wiltshire, approximately 80 metres distant. However, considering the established use of the site and the nature of the proposed use, for outdoor storage, it is not considered that the proposed development would impact upon the amenities of any nearby residential properties.

10.24 It should, however, be noted that the applicants have suggested working hours of:

Monday to Friday 0730 to 1800

Saturday 0800 to 1400

with no working on Sundays or Bank Holidays.

10.25 It should be noted that any working hours restriction would only apply to the area within the red line upon the submitted plans denoting the application site boundary.

10.26 However, in view of the use of the land proposed, it is considered that the proposal would be acceptable having regard to Policy EN2, the Cotswold Design Code and the NPPF.

#### **(e) Surface Water Drainage**

10.27 Having regard to Policy EN14 of the Local Plan, the application refers to the hardstanding being constructed from concrete, and this would, therefore, result in a considerable increase in hard surfacing.

10.28 The proposed plans include a storage swale to direct surface water run-off via a network of gulleys and filter drains, so as to minimise potential detrimental impacts on flood risk and water quality. It is expected that the swale will be dry under normal conditions, with this being located to the north of the yard extension.

10.29 The Council's Drainage Engineers consider that the proposed details are acceptable in principle, but have recommended that a condition be attached to any permission granted.

#### **(f) Highways**

10.30 Section 9 of the NPPF advocates sustainable transport, including safe and suitable accesses to all sites for all people. However, it also makes it clear that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network are severe.

10.31 Local Plan Policy INF3 (Sustainable Transport) supports development that actively supports travel choices with priority to walking and cycling and access provided to public transport. Links with green infrastructure, PROWs and wider cycle networks should be provided. Development that would have a detrimental effect on the amenity of existing infrastructure will not be permitted.

10.32 Local Plan Policy INF4 (Highway Safety) supports development that is well integrated with the existing transport network and beyond the application site, avoiding severance resulting from mitigation and severe impact upon the highway network. Developments that create safe and secure layouts and access will be permitted.

10.33 Local Plan Policy INF5 (Parking Provision) seeks to ensure sufficient parking provision to manage the local road network.

10.34 In support of the application, the applicants have stated that they estimate that the development will add an average of 6 articulated lorry loads (12 vehicle movements) per day, allowing for growth in raw material imports, product sales and other materials. However, the increased storage space will remove at least 80 HGV movements associated with off-site storage of product in the busiest months of the year, typically 1 articulated lorry load meaning 2 movements a day, so the net change will be 10 daily HGV movements. It is also stated that no change in staff levels is anticipated.

10.35 Furthermore, the applicants have also stated that they have relocated existing soil processing operations to a site at South Cerney last year. This will remove an average of 10 articulated lorry movements a day (5 loads) in the busiest months (March to May), and will

therefore off-set the 10 envisaged articulated lorry movements during busy periods. Therefore, the supporting statement concludes that the current traffic impact from site operations will not change.

10.36 The Highway Authority has assessed the estimated additional traffic that could be generated by the site expansion on the highway network, accounting for the figures in the original Transport Assessment (TA) of 10-12 HGV's and those recorded from the site and Parish traffic counts compared to potential site land use trips from TRICS analysis. The previous TA comments that the additional trips would be balanced by the removal of associated trips from HGV trips between other applicant sites due to the additional storage and operations not occurring on the site were not accepted by the Highway Authority, due to the application allowing the larger commercial land use potential trips for either the current applicant or another operator.

10.37 The Highway Authority has also commented that applicants are required to mitigate the impact of the development, and although the impact of the existing operations has been observed, including verge damage which will be required to be repaired, the mitigation for the proposed expansion of the operations at the site has been the focus of their consideration of the application.

10.38 It is proposed to provide 5 passing spaces along the route to the site from the junction of Church Lane with the B4014, with further spaces along Crudwell Lane and the entrance to the site where there is evidence of passing (i.e. damage to the verge). These would be provided within the highway verge, and funded by the applicants. The Highway Authority considers that the final details may be subject of a condition, and are considered reasonable based on the potential increase in trips generated.

10.39 The site access will be required to provide improved signage notifying all HGVs to turn west via Crudwell Lane, Church Lane and the B4014 as well as visibility splays being provided based on recorded speeds.

10.40 Based on the analysis of the information submitted, the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion, and that there are no justifiable grounds on which an objection could be maintained.

10.41 Within the objections received to the application, reference has been made by objectors to breaches of the Operator's licence issued by the DVSA (Drive and Vehicle Standards Agency). Whilst these concerns are noted, that is a matter for the DVSA to investigate rather than the Local Planning Authority, and does not affect the recommendation made.

## **11. Conclusion**

11.1 The proposal is considered to accord with the policies in the Development Plan, in addition to the NPPF, which are not outweighed by other material planning considerations.

11.2 The recommendation is for planning permission to be granted.

## **12. Proposed conditions:**

1. The development shall be started by 3 years from the date of this decision notice.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following drawing numbers: LMM/049/01; LMM/049/02 REV C; MEL001 REV B; MEL002; MEL003 and MEL004.

**Reason:** For purposes of clarity and for the avoidance of doubt, in accordance with the National Planning Policy Framework.

3. Prior to the first use/occupation of the development hereby approved, a comprehensive landscape scheme shall be approved in writing by the Local Planning Authority. The scheme must show the location, size and condition of all existing trees and hedgerows on and adjoining the land and identify those to be retained, together with measures for their protection during construction work. It must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

**Reason:** To ensure the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

4. The entire landscaping scheme shall be completed by the end of the planting season immediately following the completion of the development or the site being brought into use, whichever is the sooner.

**Reason:** To ensure that the landscaping is carried out and to enable the planting to begin to become established at the earliest stage practical and thereby achieving the objective of Cotswold District Local Plan Policy EN4.

5. Any trees or plants shown on the approved landscaping scheme to be planted or retained which die, are removed, are damaged or become diseased, or grassed areas which become eroded or damaged, within 5 years of the completion of the approved landscaping scheme, shall be replaced by the end of the next planting season. Replacement trees and plants shall be of the same size and species as those lost, unless the Local Planning Authority approves alternatives in writing.

**Reason:** To ensure that the planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policy EN2.

6. Prior to its installation, a scheme shall be submitted to and agreed in writing by the Local Planning Authority, which specifies the provisions to be made for the level of illumination of the site and the control of light pollution. The scheme shall be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To prevent light pollution in accordance in accordance with Cotswold District Local Plan Policy EN15.

7. Prior to the commencement of the development hereby approved, full details of highway improvements/offsite works comprising the provision of 5 passing places, to accommodate HGV passing with appropriate signage in general accordance with plan IMA-21-022 028, shall be submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall not be brought into use until those works have been constructed in accordance with the approved details, with the passing bays to be retained thereafter.

**Reason:** To ensure the safe and free flow of traffic onto the highway to mitigate and minimise conflicts according to Policies INF1 and INF4 of the Cotswold District Local Plan and NPPF paragraphs 110 and 112.

8. All HGVs accessing and egressing from the site shall travel via the B4014, Church Lane and Crudwell Lane to the west. Site access signage for all HGVs to turn west on egress towards Church Lane and the B4014 shall be erected in general accordance with plan IMA-21-022 027.

**Reason:** To ensure safe and suitable access to and from the site minimising impact on highway users according to Policies INF1 and INF4 of the Cotswold District Local Plan and NPPF paragraphs 110 and 112.

9. The development hereby approved shall not be occupied/brought into use until visibility splays are provided from a point 1m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 93.6 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.9m in height above carriageway level.

**Reason:** In the interests of highway safety according to Policies INF1 and INF4 of the Cotswold District Local Plan and NPPF paragraphs 110 and 112.

10. An electric vehicle infrastructure strategy and implementation plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the land use hereby permitted. The plan shall contain details of the number and location of all electric vehicle charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851, and Manual for Gloucestershire Streets. Buildings and parking spaces that are to be provided with charging points shall not be brought into use for the permitted development until associated charging points are installed in strict accordance with approved details and are operational. The charging points installed shall be retained thereafter unless replaced or upgraded to an equal or higher specification.

**Reason:** To promote sustainable travel and healthy communities according to Policies INF1 and INF4 of the Cotswold District Local Plan and NPPF paragraphs 110 and 112.

11. Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the clearance/construction period. The plan/statement shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway Condition survey;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

**Reason:** In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development according to Policies INF1 and INF4 of the Cotswold District Local Plan and NPPF paragraphs 110 and 112.

12. The Development hereby approved shall not be brought into use until a HGV management plan has been submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved delivery plan for the lifetime of the development.

**Reason:** In the interests of highway safety and to minimise the impact of vehicles servicing the development upon congestion according to Policies INF1 and INF4 of the Cotswold District Local Plan and NPPF paragraphs 110 and 112.

13. The development shall be completed in accordance with the recommendations in Section 5 of the Preliminary Ecological Appraisal report (May 2021, Pure Ecology), as submitted with the planning application. All the recommendations shall be implemented in full according to the specified timescales, unless otherwise agreed in writing by the Local Planning Authority, and all mitigation features shall thereafter be permanently retained.

**Reason:** To ensure that the bats, badgers, birds, reptiles and hedgehogs are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended, Policy EN8 of the Cotswold District Local Plan 2011-2031, Circular 06/2005, paragraphs 174 and 180 of the National Planning Policy Framework and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

14. Prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% CC event has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The Cotswold Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance). If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.

15. The works shall be completed in accordance with the arboricultural recommendations laid out in the consultancy report 'BS 5837 Trees in Relation to Design, Demolition and Construction - Recommendations Report' prepared by Pryor & Rickett Siviculture (May 2021). All of the recommendations shall be implemented in full according to any timescales laid out in the recommendations, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To safeguard the retained/protected tree/s in accordance with Cotswold District Local Plan Policy EN7.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any other statutory instrument amending or replacing it, no buildings, fencing or other means of enclosure shall be erected, constructed or sited in the application site other than those permitted by this Decision Notice.

**Reason:** In the interests of visual amenity in accordance with Cotswold District Local Plan Policies EN2 and EN4.

17. No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site except between the hours of 0730 to 1800 Monday to Friday, 0800 to 1400 on Saturday and not at any time on Sundays, Bank or Public Holidays.

**Reason:** To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Cotswold District Local Plan Policy EN15.

**Informative:**

1. The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice

- The local flood risk management strategy published by Gloucestershire County Council, as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
- CIRIA C753 SuDS Manual 2015
- The National Flood and Coastal Erosion Risk Management Strategy for England, produced by the Environment Agency in July 2020, pursuant to paragraph 9 of Section 7 of the Flood and Water Management Act 2010.





**Melcourt Industries Limited**

COTSWOLD DISTRICT COUNCIL

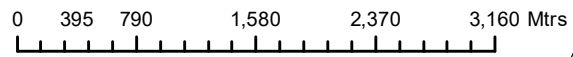
**Site Location Plan**

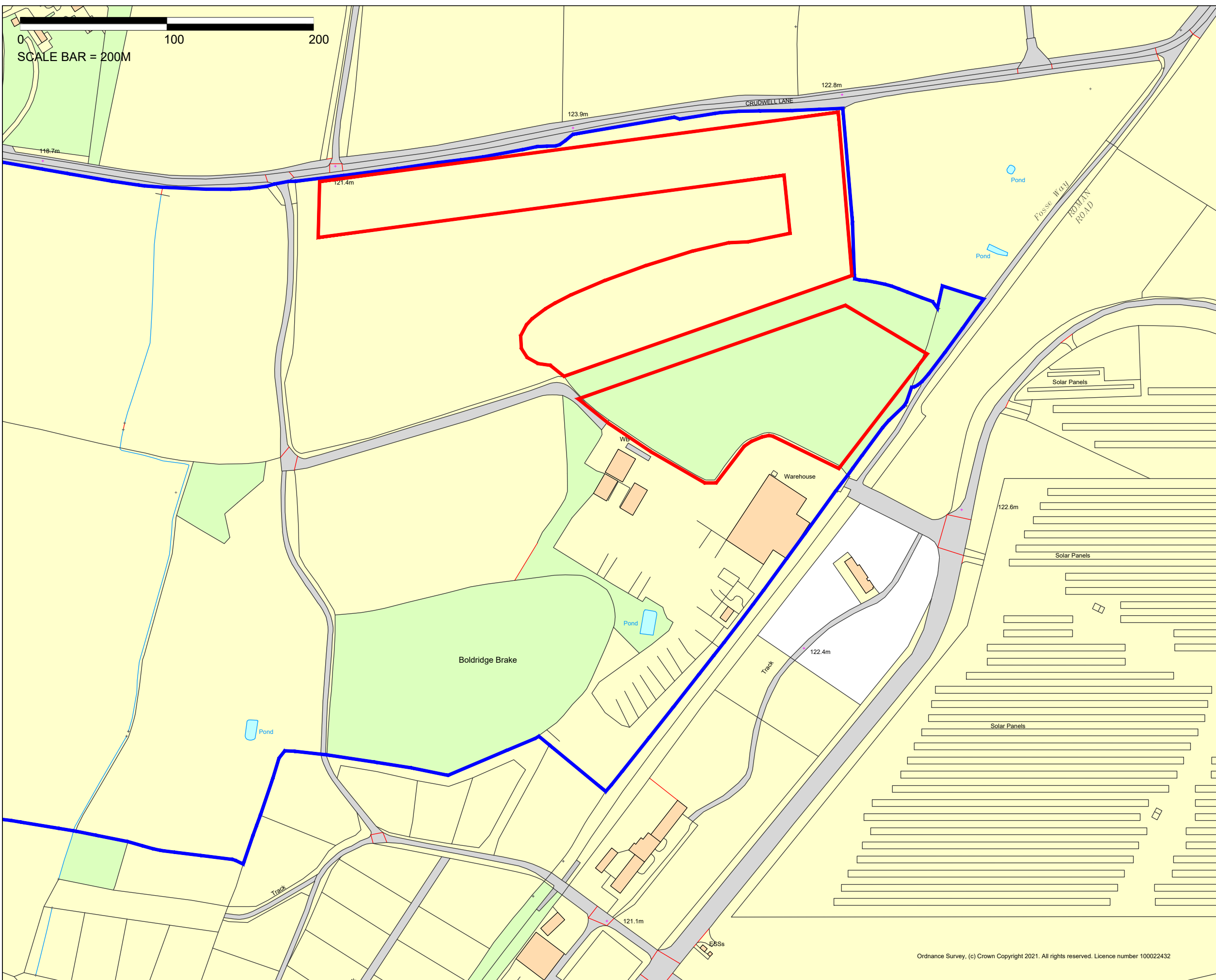
Melcourt Industries Limited, Boldridge Brake, Crudwell Lane, Long Newnton, Tetbury, Gloucestershire. GL8 8RT

Scale: 1:500

Reference: 21/04342/FUL

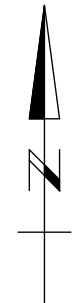
Date: 08 September 2022





© Alan Wade Site Engineering Ltd.  
 Notes:  
 1. This drawing should only be used for its original intended purpose.  
 2. Dimensions in metres unless otherwise stated.  
 3. Details provided by Land and Mineral Management.

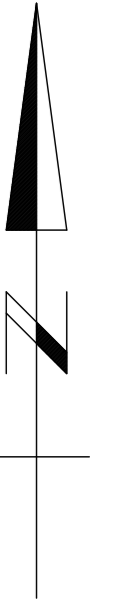
— Application boundary  
 — Other land under applicant's control



Revision	Comment	Date
<b>ALAN WADE SITE ENGINEERING LIMITED</b>		
<small>LAND SURVEYS AND VOLUMETRIC CALCULATIONS FOR EARTHMOVING OPERATIONS surveys@awsel.co.uk REGISTERED IN ENGLAND AND WALES COMPANY NO. 3308165. REGISTERED OFFICE: THE MEWS, HOUNS HILL, CHIPPING SODABY, BRISTOL, BS37 4EJ</small>		
Project PROPOSED YARD EXTENSION BOLDRIDGE BRAKE, CRUDWELL LANE GL8 8RT		
Client MELCOURT INDUSTRIES LTD		
Drawing Title LOCATION PLAN		
Drawn Date 08/02/21	Surveyed Date -	
Scale 1:2500	(AT A3)	
Drawing Number LMM/049/01	Rev -	

Notes:  
1 This drawing should only be used for its original intended purpose.  
2 Dimensions in metres unless otherwise stated.  
3 This drawing was prepared for a planning application. It is not a construction issue drawing.  
4 The client is reminded of their duties under the CDM 2015 regulations.  
5 General layout supplied by LMK.  
6 Levels in metres AOD.  
7 Checks should be made to establish if services cross the site. The client should contact the service owners to establish whether these proposals will affect them.

Application boundary



CRUDWELL LANE

Proposed tree planting on ground raised 0.5m with gentle perimeter gradients down to existing.

Proposed tree planting on ground raised 0.5m with gentle perimeter gradients down to existing.

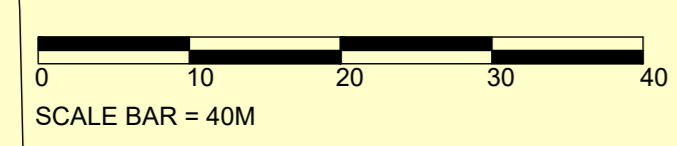
Proposed grass planting on ground raised 0.5m with gentle perimeter gradients down to existing.

Proposed swale

Proposed Yard extension

Proposed tree planting

Pond



Revision	Comment	Date
C	Planting amended	11 Apr 22
B	Bunds removed	11 Apr 22
A	Bund amended, swale added	18 Sept 21

**ALAN WADE  
SITE ENGINEERING  
LIMITED**

LAND SURVEYS AND VOLUMETRIC CALCULATIONS FOR EARTHMOVING OPERATIONS  
surveys@awsel.co.uk  
REGISTERED IN ENGLAND AND WALES COMPANY NO. 070843553 LTD. 14 WILKINSON RD. DUNN LANE, BRISTOL, BS7 4JZ

Project:  
PROPOSED YARD EXTENSION  
BOLDRIDGE BRAKE, CRUDWELL LANE  
GL8 8RT

Client:  
MELCOURT INDUSTRIES LTD

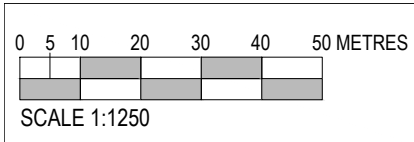
Drawing Title:  
SITE PLAN

Drawn Date:  
09/02/21

Scale:  
1:500 (AT A0)

Drawing Number:  
LMM/049/02

Surveyed Date:  
-  
Rev:  
C



Land raised by c. 0.5m using material excavated from yard extension works, with gentle perimeter gradients down to existing land surface. Raised areas to be planted with native trees and shrubs (Blocks B1 & B2)

Typical Annual Planting Maintenance Programme

Time of Year	No. of Visits	Operations to be Carried Out as Necessary
Late April to early June	1	1) Glyphosate spot spray (woodland blocks) or band spray (hedge) 2) Selective noxious weed spray within block (if necessary) 3) Re-firm and re-adjust spirals/guards and supports. Pull grass growing inside spirals/guards
Mid August to mid October	1 (Provisional, if Necessary)	1) Glyphosate spot spray (woodland blocks) or band spray (hedge) 2) Selective noxious weed spray within block (if necessary)
November to March	1	1) Replacement of planting failures 2) Re-firm and re-adjust spirals/guards and supports. Pull grass growing inside spirals/guards 3) Stock fencing checked and repaired

Schedule of Plant Material				Planting Block	B1*	B2*	B3**	U1***	
				Area in m <sup>2</sup>	6,950	6,225	460	1,180	
				Total no. of plants	1125	1000	115	130	
Species	Common Name	Size/cm	Protection & support (B1/B2 fenced, B3/U1 individual plant protection)	1.8m rabbit/deer fence	1.8m rabbit/deer fence				Total
<b>Primary Tree Species</b>									
<i>Acer Camestrea</i>	Field Maple	60-80*	1.2m Tubex Shelter/1.5m stake	75	75	10	15		175
<i>Alnus glutinosa</i>	Common Alder	60-80*	1.2m Tubex Shelter/1.5m stake	50	75	15			140
<i>Betula pendula</i>	Silver Birch	60-80*	1.2m Tubex Shelter/1.5m stake	50	50				100
<i>Pinus sylvestris</i>	Scots Pine	60-80*	1.2m Tubex Shelter/1.5m stake	50	75		25		150
<i>Quercus ilex</i>	Holm Oak	60-80*	1.2m Tubex Shelter/1.5m stake	50	50				100
<i>Quercus robur</i>	Common Oak	60-80*	1.2m Tubex Shelter/1.5m stake	75	75	5			155
<b>Secondary Tree Species</b>									
<i>Carpinus betula</i>	Hornbeam	40-60*	1.2m Tubex Shelter/1.5m stake	50	25				75
<i>Crataegus monogyna</i>	Hawthorn	40-60*	60cm Tubex Shrub shelter/90cm stake	100	75	25	15		215
<i>Prunus avium</i>	Wild Cherry	40-60*	1.2m Tubex Shelter/1.5m stake	75	75				150
<i>Prunus spinosa</i>	Blackthorn	40-60*	60cm Tubex Shrub shelter/90cm stake	100	75	25	15		215
<i>Sorbus aria</i>	Whitebeam	40-60*	1.2m Tubex Shelter/1.5m stake	75	50				125
<i>Sorbus aucuparia</i>	Rowan	40-60*	1.2m Tubex Shelter/1.5m stake	75	50				125
<b>Understorey Shrubs</b>									
<i>Corylus avellana</i>	Hazel	40-60*	1.2m Tubex Shelter/1.5m stake	100	100	10	25		235
<i>Ilex aquifolium</i>	Holly	3 litre pot**	1.2m Netlon ring/two 1.5m stakes	75	50		15		140
<i>Salix caprea</i>	Goat Willow	40-60*	1.2m Tubex Shelter/1.5m stake	75	50	15	10		150
<i>Viburnum lantana</i>	Wayfaring Tree	40-60*	1.2m Tubex Shelter/1.5m stake	50	50	10	10		120
<b>Total</b>				<b>1125</b>	<b>1000</b>	<b>115</b>	<b>130</b>		<b>2370</b>

Rev.A: Slight amendments to layout  
Rev.B: Removal of bunds

**KEY**

- INDICATIVE APPLICATION BOUNDARIES
- PROPOSED TREE AND SHRUB PLANTING AREAS (Blocks B1 - B3)
- PROPOSED UNDERPLANTING WITHIN EXISTING WOODLAND (Block U1)
- AREA SEEDED TO LOW MAINTENANCE, TUSSOCKY GRASSLAND
- PROPOSED 1.8m HIGH DEER AND RABBIT FENCE AROUND BLOCKS B1 & B2

**BUND SEEDING, WOODLAND PLANTING AND MANAGEMENT WORKS**

**Low Maintenance Tussocky Grassland Area - Seeding and Management**  
The area would be seeded with a rough grassland mix that requires little or no maintenance and is a good habitat for insects, such as the following from Emorsgate Seeds - EG10 Tussock Grass Mix (Sowing rate 5g/sq.m, 20kg/acre):  
Strong Creeping Red Fescue - 30%, Crested Dogstail - 20%, Cocksfoot - 20%, Tall Fescue - 12.5%, Meadow Fescue - 10%, Tufted Hair Grass - 5%, Meadow Foxtail - 1.25%, Yorkshire Fog - 1.25%

**Tree & Shrub Planting Areas: Planting Specifications and Management (Blocks B1 - B3 & U1)**  
Small woodland blocks B1 & B2, a scrubby planting strip (Block B3) and underplanting within the existing woodland (Area U1) will be planted with species in accordance with the Schedule of Plant Material (see above). The planting would comprise native species (of local origin where possible) containing primary/secondary tree species and shrubby understorey/woodland edge species in order to establish a range of vegetation types and sizes throughout the planting blocks.  
Scrubby species would predominate in Block B3 and Area U1. For block B3 plants would be planted at an average of 2m centres, for blocks B1 & B2 plants would be at average of 2.5m centres, for area U1 plants would be at an average of 3.0m centres. In all planting areas plants would be randomly located as opposed to adhering to a strict planting grid, which can look unnatural. For blocks B1 - B3 plants would be planted in random groups of 1 - 7. For blocks B1 & B2, the outer edge of each block would consist mainly of more shrubby species to encourage a gradual variation from a shrubby woodland edge through to the main woodland block.  
Underplanting area U1 would be randomly planted with the selected species where possible, with the aim to 'gap up' and 'fill in' areas where the existing vegetation is less dense. The planting would provide additional understorey vegetation over time, although such planting is difficult to establish due to the lack of water and light. The selected species are considered reasonably suitable for this type of planting environment.

All planting stock within planting blocks B1 and B2 would be protected from deer and rabbits by the installation of 1.8m high deer fencing with rabbit fencing attached to the bottom with hog-ring fasteners, the approximate route of which is shown on the drawing. Plants within these blocks will not therefore need individual protection.

Planting stock within planting blocks B3 and U1, which are far smaller and therefore more difficult/not economical to fence off, would be protected by 1.2m Tubex shelters supported by 1.5m x 32mm x 32mm treated softwood or cleft chestnut stakes. Hawthorn and Blackthorn however would be protected by 60cm Tubex shrub shelters supported by 90cm stakes, as even if the top parts are browsed by deer, they are resilient enough to recover. Holly would be protected by 1.2m Netlon rings supported by two 1.5m x 32mm x 32mm stakes. All the plant protection measures will be removed after a period of approximately 5 years, or at a point once the plant is deemed mature enough to withstand browsing by predators.

Each planting station will be kept weed free by the application of glyphosate herbicide (e.g. Roundup) at least twice every year, in early spring and early/mid summer, for at least the first three seasons, with review thereafter. Plants within Blocks B1 and B2 will not be individually guarded, so for these blocks, the spraying lance would be fitted with a spray shield to prevent herbicide drifting onto the plant. Excessive tall and noxious weeds within planting areas will be controlled by selective spraying or strimming if deemed necessary (although strimming can encourage more vigorous weed growth). All chemical applications will be in accordance with guidelines as set out in the Pesticide Control Act 1996.

Plants, guards and canes which become loose, over-tight or broken will be re-firmed and adjusted on an annual basis. Fencing will be repaired as necessary on a regular basis. All planting/seeding failures would be replaced on an annual basis, during the first five years to ensure 100% stocking. All replacements will use plants of the same species or alternatively other species seen to be thriving on site. All natural regeneration of desirable species arising within planting areas will be accepted. Refer to the Typical Annual Planting Maintenance Programme table at the upper right hand corner of the drawing for timings of operations summarised above.



Client: MELCOURT INDUSTRIES LIMITED

Site: COMPOST YARD, BOLDRIDGE BRAKE

Project: PROPOSED YARD EXTENSION

Drawing Title: PROPOSED LANDSCAPE PLANTING PLAN

Date: APRIL 2022

Scale: 1:1250 @ A3

File Ref: 2204\_008\_040\_MEL001Rev.B\_LANDSCAPE PLANTING

Drawing No.: MEL001Rev.B

Revision: B

DB Landscape Consultancy

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